

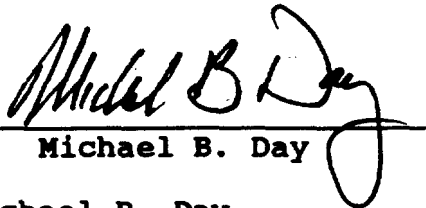
VII.

CONCLUSION

CCAC respectfully urges the Commission to rule expeditiously on its application for rehearing and request for stay in this matter and to grant the requested rehearing of Decision 94-08-022 and a stay of the unbundling provisions as set forth in Ordering Paragraphs 1-7.

Respectfully submitted,

WRIGHT & TALISMAN

By 
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September 6, 1994

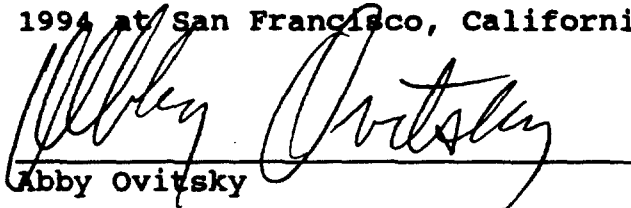
Attorneys for The Cellular
Carriers Association of
California

CERTIFICATE OF SERVICE

I, Abby Ovitsky, certify that I have this date caused the foregoing **APPLICATION OF CELLULAR CARRIERS ASSOCIATION OF CALIFORNIA FOR REHEARING OF DECISION 94-08-022 AND REQUEST FOR STAY** pursuant to Rule 86.2 of the Commission's Rules, to be served by United States mail on the parties of interest in Docket I.93-12-007 as set forth on the attached service list.

I declare under penalty of perjury pursuant to the laws of the State of California that the foregoing is true and correct.

Executed on September 6, 1994 at San Francisco, California.


Abby Ovitsky

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BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE
STATE OF CALIFORNIA

ADMINISTRATIVE LAW JUDGE MICHAEL J. GALVIN, presiding.

Investigation on the Commission's
own motion into the regulation of
cellular radiotelephone utilities.

I. 88-11-040

REPORTER'S TRANSCRIPT
San Francisco, California
May 17, 1994
Pages 1710 - 1907
Volume 13

Reported by: William J. Harter
Robert C. Abille

H.C. Kaufman, Jr., Official Reporter
PUBLIC UTILITIES COMMISSION, STATE OF CALIFORNIA
505 Van Ness Avenue, San Francisco, California 94102

JORDAN RODERICK

resumed the stand and testified further as follows:

ALJ GALVIN: Mr. Selby?

MR. SELBY: Good morning, your Honor.

ALJ GALVIN: Do you have questions of this witness?

MR. SELBY: Yes, your Honor.

CROSS-EXAMINATION

BY MR. SELBY:

Q Good morning, Mr. Roderick.

My name is Nick Selby and I'm appearing in the proceeding on behalf of NEXTEL.

A Good morning.

Q If you don't mind, I'll just sit here. You can hear me okay?

A Yes.

Q Good.

Is it correct that you have not testified in regulatory proceedings before?

[A No.

Q Okay. Have you testified before this Commission before?

A No.

Q Where else have you testified?

A I have testified before the Public Utilities Commissions in Kansas, Missouri, Indiana, Ohio, North Carolina, South Carolina, Florida and before the Senate of Pennsylvania.

1 ALJ GALVIN: On the record.

2 MR. SELBY: Q You mentioned in your testimony,
3 Mr. Roderick, that a Motorola DPC 550 flip-phone sells
4 for \$39.99 with activation in Seattle.

5 MS. TOLLER: Could you please point -- I'm
6 sorry, the page?

7 MR. SELBY: Q That's page 11.

8 A Yes, I see that.

9 Q And the same telephone evidently sells for
10 \$1 with activation on a six-month contract plan in
11 Dallas?

12 A Right.

13 Q This is information that you are personally
14 familiar with?

15 A Yes, I've seen the advertisements.

16 Q Now, on the basis of your involvement in the
17 negotiations with equipment manufacturers and your
18 familiarity with equipment costs, manufacturers'
19 invoice costs, can you tell me tell me today whether
20 the \$39.99 price is below cost for the Motorola 550
21 flip-phone?

22 A It's below what the invoice price from
23 Motorola, yes.

24 Q And I take it the same would be true with
25 respect to the \$1 telephone in Texas?

26 A Yes, sir.

27 (Laughter)

28 MR. SELBY: Q Thank you.

1 Now, going over to -- oh, yes. On the same
2 page you state:

3 "The same phone in
4 California sells for between
5 \$198.00 and \$247.95."

6 Are you familiar with those facts
7 personally?

8 A Yes. Again, those are from advertisements
9 that I've seen.

10 Q And again on the same basis as your previous
11 answers, could you tell us whether the \$198 is below
12 manufacturer's invoice costs or not?

13 A I don't know that I could.
14 I think that's right around where it's
15 priced at, actually.

16 Q I'm sorry. I don't think I understood your
17 answer.

18 Are you saying that the \$198 is right around
19 the manufacturer's invoice cost?

20 MS. TOLLER: Mr. Roderick, I'd like to caution
21 you that yesterday you indicated, as I verified today,
22 that various of our equipment manufacturers or
23 contracts have confidentiality provisions in them, so
24 if, by answering this question, you're going to give
25 the invoice cost for the phone, then I would ask you
26 not to answer the question.
27
28